

REMARKS

In the Notice of Non-Compliant Amendment, it was indicated that the Amendment filed November 14, 2008 was non-compliant for using improper claim status identifiers for claims 13-15. Specifically, it was indicated that claims 13-15 were not previously pending in the application, and consequently, the amendments to these claims in the November 14, 2008 Amendment used improper claim status identifiers for these claims. See items 4 (C) and (E) on page 1 of the Notice.

Applicant respectfully disagrees. Please note that claims 13-15 were previously pending in this application as evidenced by the attached copy of the Preliminary Amendment filed July 21, 2006. As can be seen, claims 13-15 were added by way of this Preliminary Amendment. Therefore, contrary to the Office's position, claims 13-15 were pending as of the July 21, 2006 Preliminary Amendment, and thus, the November 14, 2008 Amendment used the correct claim identifiers when canceling claims 13-14 and amending claim 15. Therefore, withdrawal of the Notice is respectfully requested.

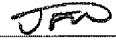
Nonetheless, to comply with the requirements set forth in the Notice, Applicant has resubmitted the claim amendments set forth in the November 14, 2008 Amendment for the Office's convenience.

Favorable action on the merits is solicited.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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JFW/fb

APPENDIX:

- A copy of the Notice of Non-Compliant Amendment of
January 27, 2009
- A copy of the Preliminary Amendment filed January 21,
2006

COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,751	08/21/2006	Stephen Brown	3003-1185	7987

466 7590 01/27/2009
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209 Madison Street
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EXAMINER

RUNNING, RACHEL A

ART UNIT	PAPER NUMBER
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3732

MAIL DATE	DELIVERY MODE
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01/27/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<i>Notice of Non-Compliant Amendment (37 CFR 1.121)</i>	Application No.	Applicant(s)	
	10/586,751	BROWN, STEPHEN	
	Examiner	Art Unit	
	RACHEL A. RUNNING	3732	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 14 November 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____.
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____.
- ☐ 3. Amendments to the drawings:
- ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
 - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
 - ☐ C. Other _____.
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☒ E. Other: Claim amendments are not proper see MPEP 714 (c). further claims 13 and 14, are canceled, however, there was not a claim 13 or 14 in the original set of claims claim 15 should be labeled new, since there was never a claim 15.
- ☐ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

- Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
- Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

Extensions of time are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

Failure to timely respond to this notice will result in:

Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

/Rachel A. Running/
Examiner, Art Unit 3732

Continuation Sheet (PTOL-324)
U.S. Patent and Trademark Office
PTOL-324 (01-06)

Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.
Part of Paper No. 20090121

COPY

10/586/21
Docket No. 3003-1185
IAP11 Rec'd PCT/PTO 21 JUL 2006

PATENT

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Stephen BROWN

Conf.

Application No. NEW NATIONAL PHASE

Group

Filed July 21, 2006

Examiner

HAIR EXTENSION

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

July 21, 2006

Sir:

The following preliminary amendments and remarks are respectfully submitted in connection with the above-identified application.

Amendments to the Claims are reflected in the listing of claims which begin on page 2 of this paper.

Remarks begin on page 4 of this paper.

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings of claims in the application:

LISTING OF CLAIMS:

1. (original) A method of joining a hairpiece to a lock of hair to provide a hair extension, which method comprises bonding said hairpiece to said lock using an adhesive that is curable by exposure to electromagnetic radiation.
2. (original) A method according to Claim 1, in which the steps of bringing together the adjacent regions of the hairpiece and the lock to be joined in contact with an amount of electromagnetically curable adhesive, and exposing said adhesive to electromagnetic radiation to cure said adhesive.
3. (original) A method according to Claim 2, wherein said adhesive is pre- applied to an end region of said hairpiece.
4. (currently amended) A method according to ~~any of the preceding Claims~~ claim 1, which includes the step of clamping adjacent regions of said hairpiece and said lock in a tool and exposing said adhesive to electromagnetic radiation to cure it.
5. (currently amended) A method according to ~~any of the preceding Claims~~ claim 1, wherein said adhesive is cured using a process which does not require a significant input of thermal energy.
6. (original) A method according to Claim 5, where said adhesive is a UV curable adhesive.
7. (original) A tool for the attachment of a hairpiece to a lock of hair using an adhesive curable by exposure to electromagnetic radiation, said tool comprising clamp means for clamping together in use, in abutting or overlapping fashion adjacent end regions

of the lock of hair and the hairpiece, and means for directing electromagnetic radiation at said abutting or overlapping region.

8.(original) A tool according to Claim 7, when said tool includes two jaw members mounted for relative hingeing movement.

9.(original) A tool according to Claim 8, wherein at least one of the facing surfaces of the jaw members includes a groove or profiled guide region for isolating a lock of hair.

10.(currently amended) A tool according to Claim 8 ~~or Claim 9~~, including a switch for actuating a source of electromagnetic radiation, said switch being disposed to be closed when said jaw members are hinged towards each other.

11.(original) A hairpiece having an amount of electromagnetically curable adhesive material provided on a bonding region thereof.

12.(original) A kit comprising at least one hairpiece as claimed in Claim 11, in combination with a tool as claimed-in Claim 7.

13.(new) A method according to claim 2, which includes the step of clamping adjacent regions of said hairpiece and said lock in a tool and exposing said adhesive to electromagnetic radiation to cure it.

14.(new) A method according to claim 3, which includes the step of clamping adjacent regions of said hairpiece and said lock in a tool and exposing said adhesive to electromagnetic radiation to cure it.

15.(new) A tool according to Claim 9, including a switch for actuating a source of electromagnetic radiation, said switch being disposed to be closed when said jaw members are hinged towards each other.

REMARKS

Claims 1-15 remain in this application.

Entry of the above amendments is earnestly solicited.
An early and favorable first action on the merits is earnestly requested.

Should there be any matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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